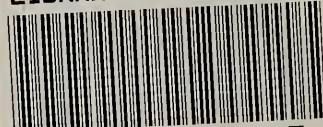


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ANNEXATION OF HAWAII.

SPEECH

OF

HON. JOHN A. BARHAM,

OF CALIFORNIA,

IN THE

HOUSE OF REPRESENTATIVES,

TUESDAY, JUNE 14, 1893.

WASHINGTON.

1898.

Mr. W. A. Smith

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S P E E C H
OF
HON. JOHN A. BARHAM.

The House having under consideration the joint resolution (H. Res. 259) to provide for annexing the Hawaiian Islands to the United States—

Mr. BARHAM said:

Mr. SPEAKER: It is not my purpose to enter at length upon the discussion of the resolutions now under consideration; nor do I hope or expect to advance any new ideas upon the argument of a question which has so thoroughly met consideration through the public press by the Secretaries of Agriculture, War, and Navy, and in reports by committees to Congress.

I have long favored the annexation of Hawaii from a commercial and military point of view. These islands, in my opinion, should become a part of the territory of the United States.

The first proposition which I desire to call to the attention of the House is the first point which was made by the gentleman from Arkansas [Mr. DINSMORE], and that is as to the constitutionality of the resolutions. It seems singular to me, Mr. Speaker, that at this day and age it should be necessary to discuss questions of this kind, for the action proposed in the resolutions has long been settled to be constitutional, not only by legislative construction, but by judicial construction and by the voice of the people, pronounced in every possible way.

There are a number of provisions of the Constitution under which the power to pass these resolutions may be found. First, there is the power to promote the general welfare and the common defense of the country. It has been repeatedly declared upon the floor of this House by members that in their opinion these islands are necessary for the common defense of this country. If there was no other provision in the Constitution, that of itself would warrant this character of procedure.

Now, take the general-welfare clause. Under that these resolutions may be passed by Congress and be within the provisions of our Constitution. Those of us who believe that it is for the best interest and general welfare of the country to annex the islands, believe so from commercial, military, and other reasons. So far as I am concerned, I believe these islands are of great military and commercial importance, therefore coming under two rules, the general welfare and common defense of the country. But, Mr. Speaker, there is another provision of the Constitution under which these resolutions are also constitutional and within the power of Congress to adopt—under that provision which declares that Congress shall have power to admit a State. Now, it is an elementary principle of law as old as civilization itself, it is concurrent with the birth of jurisprudence itself, that the “greater contains the less.” It is conceded on all sides that the Congress of the United States has the power to admit a State. Now, taking the elementary principle conceded by everybody, that the “greater contains the less,” Congress has of necessity the right and power to annex a Territory. And that is not without judicial construction.

Now, what is a State? A State, in a strict construction of the word, means a political body, an independent sovereignty. Under that definition there is no such a thing as a State in the American Union, nor is there such a thing under that definition either as to the General Government, the National Government, because the States have only the power which has been reserved to them, and such incidental power as is necessary to carry out the reserved power. The General Government only has the power which has been granted by the States, with the incidental power necessary to carry out the granted power.

Now, early in the history of the country the question arose in a suit by the District of Columbia as to whether it had the power to sue, to bring action. Unless it was a State it could not bring an action. The Supreme Court of the United States held that in the broader and primary sense of the word “State” that the District of Columbia is a State. Well, anybody knows that it is not a State in the ordinary acceptance of the terms used in America. It never had any representation by Senators. It did at one time have representation upon the floor of this House.

Again this question arose under the revenue laws of this country, where the revenue laws provided for the manner of collecting the revenues—the internal revenues—among the States. The Supreme Court of the United States found no difficulty in holding that a Territory is a State within the meaning of that act. And, again, in the Dred Scott case it necessarily followed from the decision which was rendered in that case that a Territory was a State. Dred Scott, his wife, and two babies were slaves. They were taken from the State of Missouri into Illinois, and from Illinois to Fort Snelling, which was west of the Mississippi River. That was then a part of the territory of the United States. The point, of necessity, arose as to whether the Territory was a State.

Now, I want to read, right in connection with this, just exactly what the Supreme Court said in the Dred Scott case, commencing where the gentleman from Arkansas [Mr. DINSMORE] left off by the remark that the opinion following what he had read was obiter dictum. I think, however, that the gentleman from Arkansas is the last man in America who should raise any question about what was settled in the Dred Scott case.

Before I read that, however, I want to call attention of the House to a point that was submitted. He based his argument on the declaration of Mr. Madison as to the unconstitutionality of the admission of the territory known as the Northwest Territory, that which was granted to the Confederation by Virginia before the Constitution was adopted and during the Federation. Mr. Madison thought that that was beyond the power of the Confederate States, and probably it was. The Confederate States really had no Congress. They were only kind of ministers or ambassadors to Congress with limited power. But this great Northwestern Territory was admitted by the Congress of the Confederate States.

Now, if Mr. Madison meant that the Congress of the United States which was to come after the adoption of the Constitution should have no such power, he certainly misconstrued the provision of the Constitution. For the fact is that immediately following the adoption of the Constitution on the 2d of April, 1790, the Congress of the United States accepted just such a cession from the State of North Carolina. The State of North Carolina held a cer-

tain territory, and deeded it to the United States, and by an act of Congress, which you will find in the first statutes of the Congress of the United States, the Congress of the United States—not the treaty-making power, but the Congress of the United States—accepted that cession, and out of that cession was formed the State of Tennessee.

Now, if the Congress of the United States did not have the power to accept the cession and to annex the territory to the United States because before that it had been the territory of North Carolina, and could take it from any other government as well as North Carolina, certainly, then, the State of Tennessee has never been in the Union and her Representatives upon the floor of this House are trespassers and usurpers. And again, following that, immediately upon the heels of this action was an act of Congress upon the cession made by Georgia.

Georgia had not ceded to the Confederate States the territory which she claimed, and out of that territory was carved and made the State of Alabama. The Congress of the United States, as everybody knows, admitted the Republic of Texas under a resolution to annex the Republic of Texas. That is the language of the resolution. That is the title of the resolution—a resolution “to annex the Territory of Texas.”

Mr. DINSMORE. Will the gentleman allow me an interruption?

Mr. BARHAM. Yes.

Mr. DINSMORE. I want to call the gentleman's attention to the fact that while that was the original title, it was changed before the passage of the resolution.

Mr. BARHAM. It was changed in the act admitting the State into the Union, not in the resolution for annexation. Now, I want the gentleman from Arkansas to give his attention to what he failed to read in the Dred Scott case.

This Dred Scott case came up and was determined by the Supreme Court of the United States after the admission of the territory ceded by North Carolina, after the annexation to the United States of the territory ceded by Georgia, after the Republic of Texas was made a State of the Union, after the acquisition of the Louisiana purchase, after the California purchase, and after Arizona and New Mexico and the Gadsden purchase; with all

these facts of history before the Supreme Court of the United States, and the question, in my opinion, being squarely and properly before the court whether a Territory is a State or not—because if Dred Scott and his family had been taken without the jurisdiction of the United States, they were free and no longer slaves—the court rendered that decision.

Now, what does the Supreme Court say, following the declaration of Mr. Madison, at which point the gentleman from Arkansas ceased to read? This is what the court, by Chief Justice Taney, said; and Justice Swayne, following, said that the court discussed no question which was not involved in the determination of the case, which the gentleman from Arkansas forgot also to read. The court says:

We do not mean, however, to question the power of Congress in this respect. The power to expand the territory of the United States by the admission of new States is plainly given, and in the construction of this power by all the departments of the Government it has been held to authorize the acquisition of territory, not fit for admission at the time, but to be admitted as soon as its population and situation would entitle it to admission. It is acquired to become a State, and not to be held as a colony and governed by Congress with absolute authority; and as the propriety of admitting a new State is committed to the sound discretion of Congress, the power to acquire territory for that purpose, to be held by the United States until it is in a suitable condition to become a State upon an equal footing with the other States, must rest upon the same discretion.

It is a question for the political department of the Government and not the judicial; and whatever the political department of the Government shall recognize as within the limits of the United States, the judicial department is also bound to recognize, and to administer in it the laws of the United States, so far as they apply, and to maintain in the territory the authority and rights of the Government, and also the personal rights and rights of property of individual citizens, as secured by the Constitution.

Now, Mr. Speaker, if there ever was a direct, positive declaration of the supreme tribunal of the United States upon any proposition, it is shown in that declaration, and I would not now take up the time of the House in discussing this question but for the fact that I do not desire, nor do I think it proper, that the statement of the gentleman from Arkansas [Mr. DINSMORE] should go unchallenged on the floor of the House, except by the statement that the question had heretofore been settled.

In my opinion, Mr. Speaker, these islands are of very great commercial importance. Our trade in the year 1897 reached \$18,500,000, or over \$53 for every inhabitant upon the islands. Our whole trade with Uruguay, Peru, Turkey, Portugal, and

Greece reaches less than \$15,000,000. The whole trade with Chile, Sweden, and Norway is not as great as it is with Hawaii. Our trade with Russia and the three Guianas combined does not equal our trade with the islands. It is greater than our total trade with Central America, or with Spain, Argentine, Switzerland, Venezuela, or Austria, and is equal to our combined trade with Denmark and Colombia.

It is perfectly apparent to my mind that the island can not maintain an independent responsible government. A protectorate over the islands would make this Government liable for the errors of that, without corresponding benefits. So that it seems to me that the question resolves itself into annexation or to quietly sitting by and see England, Japan, Germany, or some other nation take the islands and their trade and military advantages. I think we can not too highly estimate Hawaii from a commercial view, and unless we propose to bottle up and Chinaize this nation, we should not longer hesitate about annexation.

The islands are of great importance from a military point of view. The strategic importance of Hawaii has been demonstrated by facts developed during the pending war with Spain. In order to reach a correct conclusion upon any subject it seems to me that we must seek light from persons, treaties, or commentaries of recognized ability and standing devoted to such subject. If I am sick, I take treatment from doctors learned in medicine. In attempting to work a correct solution of a legal question, the views of writers learned in the law and the opinion of courts of recognized standing and ability are consulted and almost universally followed. So it seems to me, in military and naval affairs, that we should be largely guided by the opinions of men learned and trained upon these subjects.

It is no argument to say that the officers in the Army and Navy can not be relied upon because of their desire for larger acquisitions so as to extend the Army and Navy. They are not subject to this character of criticism. They have just as much interest in the honor, integrity, and perpetuity of this nation as any other of our fellow-citizens, and they are just as loyal and patriotic and brave. It is not argument to say that the opinion of men learned and trained in military and naval affairs are biased and not hon-

est. I think they are just as loyal and true to the best interest of this Government as I am or anyone else in official life. The judgment of our military and naval officers upon the strategic importance of Hawaii are practically unanimous.

I desire to read a portion of the letter of General Schofield, dated January 12, 1898, as follows:

From the time, twenty-five years ago, when I made a personal examination for the purpose of ascertaining the value of those islands to this country for military and naval purposes I have always regarded ultimate annexation of the islands to this country as a public necessity. But the time when this should be accomplished had to depend on natural political development. In the meantime our national interests should be secured by the exclusive right to occupy, improve, and fortify Pearl River Harbor, so as to insure our possession of that harbor in time of war.

To illustrate my views on this subject, I have likened that harbor to a commanding position in front of a defensive line which an army in the field is compelled to occupy. The army must occupy that advanced position and hold it at whatever cost, or else the enemy will occupy it with his artillery, and thus dominate the main line. If we do not occupy and fortify Pearl River Harbor, our enemy will occupy it as a base from which to conduct operations against our Pacific coast and the Isthmian Canal, which must, of course, in due time be constructed and controlled by this country. The position of such a base at a convenient distance from our Pacific coast would be a great temptation to an unfriendly nation to undertake hostile operations against us.

One of the greatest advantages of Pearl River Harbor to us consists in the fact that no navy would be required to defend it.

These views he again expressed before the House Committee on Foreign Affairs a few days before the pending resolutions were reported.

I am in accord with these views. In addition to this, I am satisfied that the Commander in Chief of our Armies, the President of the United States, and his Secretaries of War and Navy, are convinced of the strategic importance of these islands. They proclaim their military importance. If Congress were not in session, no doubt they would forcibly seize the islands as a military necessity.

While these islands can be peacefully accepted by the passage of these resolutions, why should Congress adjourn and compel the President, in order to prosecute the war as he thinks it should be, to forcibly seize the islands? So far as I am concerned, I am willing to remain, and hope Congress will continue in session until these resolutions are adopted, if it takes all summer.

The annexation of Hawaii presents no "entangling alliances."

At this point Jefferson's "entangling alliances" are relied upon

by the opposition as a warning, carrying with it sufficient force to frighten us out of the idea of further extension of territory. Did Jefferson mean by "entangling alliances" that the United States should not acquire or extend its territorial limits? If he did mean that, he most certainly forgot to retract it when the United States made the Louisiana purchase.

Should we accept the proposition recently made by Hon. Joseph Chamberlain, secretary of state for the English colonies, this would be an alliance with England. Whether it would prove an "entangling alliance" is a question I will not now pursue. With whom did we ally ourselves when we acquired Louisiana and Texas and California? With whom will we ally ourselves when the Stars and Stripes wave over Hawaii? If we adopt these resolutions, will we necessarily accept Mr. Chamberlain's Anglo-American alliance? I think not. It will only be doing that which should long since have been done and which the war with Spain so fully demonstrates we must do, or sacrifice the unparalleled achievement of our arms upon the seas, so heroically won by Admiral Dewey and his men at Manila, and endanger him, his men, and our soldiers who so recently left the port of San Francisco to aid in holding the fruits of that victory.

When the United States shall take such outlying necessary posts of military defense, and provide herself with a sufficient navy to command the respect of the world, then, and not until then, will we be secured in peace. Let American battle ships plow the furrows through the Atlantic and Pacific, in which shall follow the white wings of American commerce in a peaceful struggle for commercial advantage.

But a great discovery has been made very recently at Unalaska by the opponents of this measure. It is argued the segment of the circle of the earth's surface drawn from San Francisco to the Orient, which passes far to the north of Hawaii, bends more closely to the Aleutian Islands than the Sandwich groups, furnishing the shortest track for vessels, and a coaling station at Unalaska. I prefer to rest my conclusion upon the opinion of men trained and learned in this direction, and content myself with the evidence of Commodore Melville upon this subject. He says: "The point has been made in this debate that there is no advantage in having Honolulu as a port of call on the way to Yokohama

and Hongkong, inasmuch as Unalaska, which is already in our own territory, is on the shortest route to the Orient, and therefore we now have a port without annexing any other territory."

This statement is one of those specious half truths which are often worse than absolute errors in deceiving persons who have not possession of all the facts, and I shall now proceed to show that for the purposes of commerce this raising the question of Unalaska is a mere farce.

I shall discuss in a few moments the question of the difference in distance from San Francisco to Yokohama via Honolulu and via Unalaska, but I shall first call attention to the fact that a less desirable port of call than Unalaska would be hard to find. It is situated above the fiftieth parallel of north latitude, and has practically nothing but a harbor to recommend it. There is no trade or commerce, no repair shops; in fact, nothing whatever to attract a great mail steamer proceeding from the metropolis of our Pacific coast to the gateway of the Orient at Yokohama.

Anyone at all familiar is aware that one of the greatest dangers to navigation is fog, and the sea about Unalaska is one of the foggiest regions in the whole world. Probably nearly everybody present has enjoyed reading the poems of Rudyard Kipling known as *The Seven Seas*, which include a short one called "The rhyme of the seven sealers," and he there depicts in the most graphic style the density of the fog which is found in the neighborhood of this port which my friends have advertised as so desirable as a port of call. Of course I have not rested content with Mr. Kipling's poem alone, but have taken pains to verify the statements there made by inquiring of naval officers and others who have spent considerable time near the Aleutian group, and they have told me that Mr. Kipling's picture is not overdrawn at all.

There are times, however, in the winter when there is clear weather, but then this most attractive port is closed by the ice, for, in spite of the Japan current, which corresponds with the Gulf Stream in the Atlantic, the region around Unalaska is blocked with floe ice. There are, of course, openings in this ice, and vessels that make a business of arctic cruising might utilize them; but it can be readily appreciated that the fine passenger

and freight steamers sailing from San Francisco are not going to run this risk.

Now, let us compare with this region of ice and fog the earthly paradise which Hawaii will furnish us. Here there is never a fog, and perpetual summer makes ice a luxury of manufacture. Situated in the belt of the northeast trades, the climate is almost perfect, and navigation is rarely troubled with a storm. Honolulu itself is practically an American city planted in these isles of the Pacific, with all the modern features of civilized life, and already a port of call for several steamship lines. The industries of the island group have built up machine shops that are capable of making almost any of the repairs needed on steam vessels short of complete breakdown of the larger shafts. In other words, we have at Honolulu not only a strong harbor, but all the other features which go to make up a desirable port of call, almost midway in the great ocean which separates our western shores from the Orient.

While a recollection of the geometry we studied in our school days teaches us that a great circle on a sphere is the shortest distance between any two points on its surface, experience in the Atlantic should teach us that this alone would not throw the steamer route in a given direction, and it is a well-known fact to all who have crossed the Pacific that the course now followed by steamers, even when they do not touch Honolulu, is by no means on the great-circle course which goes near Unalaska. The people who run the merchant-steamer lines are very practical, and when they take a given course it is because it means a saving of money to the owners and in length of voyage to the passengers.

On the more southerly route the weather is uniformly fine, and the Pacific deserves its name; but on the route which would be taken if ships went by way of Unalaska there is not only the difficulty of fog and ice, but terrific storms and dangerous rock shoals, which are entirely absent from the more southerly route. It is very safe to say that the line of steamers which would undertake to make the voyage from San Francisco to Yokohama by way of Unalaska would very shortly surrender all its business to those who follow the more southerly routes.

It thus seems to me very clear that the argument against the

annexation of Hawaii on the grounds that Unalaska would answer as an intermediate point of call instead of Honolulu is not only utterly untenable, but, in the light of all the facts of the case, simply ridiculous.

As a matter of fact, the great circle track from San Francisco to Yokohama does not pass through Unalaska, but is 370 miles south of it. The distance between San Francisco and Yokohama on the great circle route is something over 4,500 miles, but the majority of tonnage engaged in trans-Pacific navigation passes back and forth along tracks varying in length from about 4,800 to 5,500 miles.

Hitherto, in considering the steamship routes between San Francisco and the Orient, Yokohama has always been the first port of call; but if we consider the possibility that the Philippines may become a part of our possessions, the route via Honolulu would be no farther from the great circle track than that via Unalaska, while, as has already been shown, the conditions are such as to make a northerly route not a matter for serious consideration.

But we are told that in addition to "entangling alliances," to annex Hawaii is to strike a deathblow at the sugar-beet industry in this country. There is no State in the American Union more interested in that subject than is California. Her people are practically unanimous for annexation, notwithstanding the repeated and constant declaration of injury to her beet-sugar industry. The legislature of California which elected Hon. STEPHEN M. WHITE United States Senator in 1893 adopted the following resolutions:

CHAPTER XI.—*Senate joint resolution No. 16, relative to annexation of Hawaiian Islands.*

[Adopted February 10, 1893.]

Whereas a crisis has arisen in the affairs of the Hawaiian Government, and a desire has been expressed by a large number of the citizens of that Government that their country should be annexed to and become a part of the United States; and

Whereas a delegation of citizens of the Hawaiian Government is now on its way to the national capital to secure such national legislation as will secure the result above suggested; and

Whereas the interests of California and of our entire country would be enhanced by the annexation to our domain of the islands now comprised in the territory of the Hawaiian Kingdom: Therefore,

Resolved by the senate of California, the assembly concurring, That whenever the Hawaiian Government shall signify a desire that its territory should be annexed to and become a part of the territory of the United States, our Senators in Congress be instructed, and our Representatives be requested,

to use all honorable means at their disposal to bring about such a result upon such terms and conditions as may be most beneficial to the inhabitants of both countries; and further

Be it resolved, That it is the sense of the people of the State of California that under no circumstances and under no conditions shall any power other than the United States of America ever be permitted to obtain any control or protectorate over the islands comprising the territory of said Hawaiian Kingdom.

Resolved, That the governor be requested to immediately telegraph these resolutions to our Senators and Representatives at Washington.

The desire for annexation has greatly increased and is practically unanimous now.

The people of California know full well that there is not the slightest truth in the declaration, and hence have no fears in that direction. The islands produce cane sugar, not beet sugar. Add all the cane sugar which it is possible to produce in those islands to the product of the cane in Louisiana and elsewhere in the Union, and we must still import much cane sugar into the United States, for purposes for which beet sugar can not and will not be used, and of course there is not and can not be any competition between the cane sugar of the islands and the beet sugar of California.

In round numbers the people of the United States consume annually 2,000,000 tons of sugar. The total product of this country is less than 336,000 tons.

The highest importation of sugar from the islands was reached in 1897, and amounted to less than 200,000 tons, or 9 per cent of the total consumption in the United States.

By the report of the Secretary of Agriculture it is shown that Hawaii has reached its maximum in the production of sugar, and taking into consideration the character of cultivation, the exhaustion of the soil, and the cost of fertilizers in the islands, the Secretary concludes, and I think properly, that the production would decrease instead of increase.

There must annually be produced over 1,500,000 tons of sugar in the United States before we can equal the consumption, without taking into consideration the increase of consumption. Secretary Wilson proceeds to show that the soil of this country is not exhausted by the sugar industry, and says:

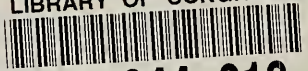
These considerations lead me to conclude that the system of agriculture pursued in Hawaii, which is certainly reducing the fertility of the soil, can not compete with a system of farm management in the United States, where the fertility of the soil is not at all reduced.

So I think I am amply justified in saying that the people of the Pacific coast have no reason to fear competition from the islands. But the Chinese and Japanese are held up as an all impending danger if we acquire the islands. Why? Oh, because it is said the Chinese will literally overrun the country. Any one who will read the pending resolutions must know that this can not be so.

The Chinese now upon the island are expressly prohibited from coming from there into this country by the provisions of the resolutions, and after annexation further Chinese immigration into these islands is also prohibited by existing law. But we are told that the Japanese will swarm in upon us if we take the islands. There is less than nothing in this proposition. All of the Japanese in the world can now come into the United States without the slightest obstruction, just as freely and as legally as the English, Germans, French, or anybody else, so that that scarecrow is lowered while the Stars and Stripes is being raised over Hawaii.

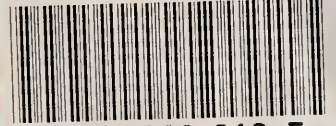
Mr. Speaker, the milestone marking the close of the nineteenth century finds America facing problems undreamt of when Washington penned his immortal address. We must advance. The commerce of the future demands way stations on its transportation lines. Before the commencement of the twentieth century let the flag of our country be waving over Hawaii in the Pacific and Puerto Rico in the Atlantic, and the two oceans be connected by the Nicaragua Canal, constructed, maintained, and operated under American ownership and American control. [Applause.]

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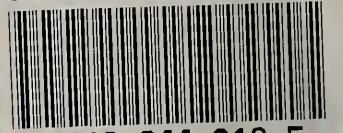


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